

CPRA REQUEST WEEKLY LOG

Week of 05/24/19

REQUESTOR	INFORMATION REQUESTED	DATE OF REQUEST	STATUS? Complete Closed New	TYPE OF REQUEST
Sanchez, Gabriel (NBCUniversal) Gabriel.sanchez@nbcuni.com	<p>Further, I would like to please request clarification as to why this public agency is selectively releasing public information to one party, Lewis/Paladino, and not others as communicated to me by; Dave Althausen, Phil Caporale, Scott Loggins, Meagan Catafi, Manny Alvarez, on behalf of POST in the May 7, 2019 denial letter from POST in regards to my request for materials already generated into the public domain with your original January 2019 release to Lewis/Paladino?</p> <p>In the <i>Ardon v Los Angeles</i> decision stated by the Attorney General in the POST/DOJ joint communication to Lewis/Paladino posted online, it states on page 9 of the decision that, "<u>The Public Records Act denies public officials any power to pick and choose the recipients of disclosure</u>" which your May 7, 2019 denial of my request for the materials sent to Lewis/Paladino directly violates. And I ask again why POST has decided it may <i>selectively release</i> information against the letter of The Public Records Act and the precedent in <i>Black Panther v. Kehoe</i> where the courts explained "that the exemption provisions make the records either 'completely public or completely confidential'", which POST is not abiding to by releasing public information to Lewis/Paladino and then arbitrarily denying the exact same information to others requesting what POST/DOJ made publicly available.</p> <p>In POST's denial of my request for the request of materials sent to Lewis/Paladino, it states the fulfillment of said request violates the following Pen. Codes 11105, 11076, 11140-11144 [11141, 11142, 11143]. Also stated in POST's letters to Lewis/Paladino</p> <p><u>Beyond the request for clarification I am requesting the following information under the California Public Records Act.</u></p> <p><u>1.</u> According to 11105 sub (B)(k)(2) states that when the state criminal history information is disseminated, it shall include the list of informational items (below). - I would like to request documents confirming the materials sent to Lewis/Paladino included the following list of information as stated in 11105, with a confirmation for all seven furnished state summary criminal history points_of information (A-G).</p>	05/22/19	C	CPRA

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<p>(2) Notwithstanding any other law, whenever state summary criminal history information is initially furnished pursuant to paragraph (1), the Department of Justice shall disseminate the following information:</p> <p>(A) Every conviction rendered against the applicant.</p> <p>(B) Every arrest for an offense for which the applicant is presently awaiting trial, whether the applicant is incarcerated or has been released on bail or on his or her own recognizance pending trial.</p> <p>(C) Every arrest or detention, except for an arrest or detention resulting in an exoneration, provided, however, that where the records of the Department of Justice do not contain a disposition for the arrest, the Department of Justice first makes a genuine effort to determine the disposition of the arrest.</p> <p>(D) Every successful diversion.</p> <p>(E) Every date and agency name associated with all retained peace officer or nonsworn law enforcement agency employee preemployment criminal offender record information search requests.</p> <p>(F) Sex offender registration status of the applicant.</p> <p>(G) Sentencing information, if present in the department's records at the time of the response.</p> <p>2. Further, the May 7, 2019 POST denial of requested materials sent to Lewis/Paladino, under the argument that it would violate in part PC 11141 and 111142. I would like to request the name[s] of the POST and or DOJ employee[s] who "knowingly furnishe[d] a record or information obtained from a record to a person who is not authorized by law to receive the record or information (Lewis/Paladino – according to POST/DOJ)," under ARTICLE 6. Unlawful Furnishing of State Summary Criminal History Information [11140 - 11144] "11141. Any employee of the Department of Justice who knowingly furnishes a record or information obtained from a record to a person who is not authorized by law to receive the record or information is guilty of a misdemeanor." AND "11142. Any person authorized by law to receive a record or information obtained from a record who knowingly furnishes the record or information to a person who is not authorized by law to receive the record or information is guilty of a misdemeanor." - An employee or employees of POST/DOJ, public agencies in California, compiled and knowingly sent materials to Lewis/Paladino, and if it is in fact a crime as repeated by POST/DOJ stating why the material cannot be shared with me because we are unauthorized to receive confidential materials violating 11141 and 11142; therefore I am requesting the name of said employee or employees who according to the language in 11141 and 11142 "is guilty of a misdemeanor."</p>			
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	<p>As to your request for the materials delivered to Mr. Lewis and or Mr. Paladino in January 2019, including, but not limited to a spreadsheet with a list of criminal convictions of peace officers, POST responds that the materials you seek are confidential "summary criminal history information" from the Automated Criminal History System of the California Department of Justice that were provided to POST pursuant to law. (Pen. Code, § 11105, et seq.) As detailed in Penal Code section 11076, explicitly outlined in section 11105, access to this criminal offender record information is restricted to agencies that are authorized to receive it and restricts subsequent disclosure to only those authorized by law to possess the materials. (See Pen. Code, §§ 11105, et seq.) Knowingly furnishing these materials to a person not authorized to receive them is forbidden by state law. (Pen. Code, §§ 11140-11144.) Confidentiality provisions set forth elsewhere in law are expressly incorporated into the California Public Records Act. (Gov. Code, § 6254, subd. (k).) POST therefore must deny this part of your request.</p> <p>While the state agencies POST/DOJ are publicly announcing the releases were in inadvertent, it is important to establish when the "inadvertent" moment occurred to establish when the employee[s] were knowingly and willingly working versus inadvertently working when; collecting the materials, preparing the materials, conferencing between POST and DOJ, organizing the materials to be delivered, and delivering the materials to Lewis/Paladino.</p> <p>3. I would also request an appeal to my original request for materials</p> <p>Documents:</p> <ol style="list-style-type: none">1. Any and all materials delivered to Lewis and or Paladino in January 2019 per their CPRA request for law enforcement records to POST, materials including but not limited to a spreadsheet with criminal convictions and peace officers with "nearly 12,000 names," including the January 2019 and Ten-Year Felony Indicator reports			
Palmer, John (Inmate) Nevada County Jail PO Box 928, Nevada City, CA 95959	Certificates issued by POST to DEA Agent.	05/20/19	C	CPRA

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Green, Mary Placer Co. District Attorney's Office mgreen@placer.ca.gov	1) All trainings taught, facilitated or proctored by Nuno Tavares in calendar year 2018 2) All trainings taught, facilitated or proctored by Nuno Tavares in calendar year 2017.	05/16/19	C	CPRA
Wissing-Healy, Beth Deputy Public Defender County of Marin BWissing-Healy@marincounty.org	Please provide POST information for the following officers: 1. Detective Avila, UC Santa Barbara (no number listed on report); 2. Novato Police Officer Michael Puccetti (NPO391) 3. Novato Police Officer Laura Houser (NP0343) 4. Novato Police Officer Carolina Zepeda (NP0427)	05/14/19	C	CPRA
Lu, Nelson, Deputy Public Defender San Joaquin Co. Pub. Def. 102 S. San Joaquin Street, Room 1 PO Box 201030 Stockton, CA 95201-9030	POST Profile for two Stockton PD Officers.	04/29/19	C	CPRA
Palmer, John (Inmate) Nevada County Jail PO Box 928, Nevada City, CA 95959	Requests records related to POST v. Superior Court of Sacramento (2007) and 8 CA Peace Officer POST profiles, 7 Federal Agents.	04/25/19	C	CPRA
Sanchez, Gabriel (NBCUniversal) Gabriel.sanchez@nbcuni.com	Hello this is a CPRA request for any and all documentation and correspondences regarding a previously filed CPRA request and the materials released upon that CPRA request made by journalists, to the state commission known as POST; and communications with POST and the California Department of Justice and or the office of California Attorney General Xavier Becerra. Documents: We would like to please attain the following;	04/25/19	C	CPRA

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	<ol style="list-style-type: none">2. A copy of the December 2018 requests made by reporters Robert Lewis and or Jason Paladino of Investigative Studios3. The December 2018 POST response of acknowledgment of receipt to the requests made by Lewis and or Paladino4. Any and all materials delivered to Lewis and or Paladino in January 2019 per their CPRA request for law enforcement records to POST, materials including but not limited to a spreadsheet with criminal convictions and peace officers5. The documents related to the delivery of the letter titled 'Notice of Inadvertent release and request for destruction,' sent to Lewis and or Paladino <p>Correspondences: We would like to please attain the following correspondences;</p> <ol style="list-style-type: none">1. The December and or January communications between POST and the California Department of Justice in regards to the Lewis/Paladino CPRA requests2. The January communications between POST and DOJ, delivering the "Notice of Inadvertent release and request for destruction"3. Communications between the POST and DOJ in regards to the published story in the East Bay Times titled <i>California keeps a secret list of criminal cops, but says you can't have it</i> spurring the letter sent to Lewis and or Paladino <p>Please forward all correspondences regarding my request to my email gabriel.sanchez@nbcuni.com or at my physical address located at 100 Universal Plaza, Bldg. 1126, Floor 2, Universal City, Ca 91608</p>			
Aleck, Marianne, Writer mariannealeck@gmail.com	Please provide this information for the following officers. Krystal Bivians - Rio Vista Police Department Connor Hamilton - Rio Vista Police Department Manuel Fong - Rio Vista Police Department Devin Eigard - Rio Vista Police Department Brian Rogers - Rio Vista Police Department Natalie Rafferty - Rio Vista Police Department David Gottlieb - Rio Vista Police Department	04/23/19	C	CPRA

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	<p>Kim Guggemos - Rio Vista Police Department Renee Souza - Rio Vista Police Department James Knapp - RVPD Reserve Officer Jennifer Torres - RVPD - Records Richard Gouveia - Police Department unknown</p> <p><u>Volunteers, some are retired police officers</u></p> <p>Dave Bellamy - RVPD Marianne Bishop - RVPD Julie Jacobs - RVPD Michael Mickelberry - RVPD John Shilich - RVPD Sandra Tierney - RVPD Tom Viscuso - RVPD James McCracken</p> <p>De Anna Stevens - Retired West Sacramento Police Department (Might be spelled Deanna or DeAnna) Mark Siemens - Retired Rocklin Police Department</p>			
Evans, Ken, President/CEO (Chief of Police Retired), Colorado kevans@keeppublicsafety.com	I am formally requesting a list (electronic if possible) of the following: All Law Enforcement Agencies in the State of California (those with Peace Officer Authority) The name, title, email and phone contact for the Chief Executive Officer (Chief, Sheriff, Director, etc....) The name, title, email and phone contact for each training officer, if the agency has one designated	04/22/19	C	CPRA

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Reese, Phillip, Reporter, Sacramento Bee	<p>I request that the following information be provided to me:</p> <p>--An electronic spreadsheet or listing showing the name of each sworn officer in the Sacramento Police Department, their employment start date and their former agency with dates of employment (if applicable).</p>	04/19/19	C	CPRA
Hill, Julie, Paralegal Intern, Santa Clara Public Defender julie.hill@pdo.sccgov.org	<p>I am working with Avi Singh, Deputy Public Defender, and Mike Noffsinger, from the Alternate Defender's Office here in Santa Clara County.</p> <p>(1) We are seeking to collect all the training histories for each and every Officer in the entirety of Santa Clara County.</p> <p>(1b) Would it be possible to send the rosters to you and receive the training data, or would you require a separate request letter for each Officer? We are happy to submit this in any form required. APPROVED IN EXCEL FORMAT</p> <p>(2) Also, could you please give me an estimated turn-around time for the fulfillment of our request? STANDARD RESPONSE PER CA GC 6253</p> <p>(3) Finally, we would like to set up a system wherein after collecting the initial histories, we would collect from you the trainings every 6 months or so, for example. Therefore, working together at the outset would be appreciated. DENIED</p>	04/18/19	C	CPRA

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Bringman, Elliot, Former Student, Butte College Academy ebringman@outlook.com	<p>My name is Elliott Bringman, and I am a former student of the Butte College Law Enforcement Academy. I understand that POST revoked their Academy certification recently, and I'd like to make a records request for documents pertaining to this de-accreditation. I found your names and emails on the POST website, but if you are not the correct parties to contact regarding this matter, could you kindly point me in the right direction?</p> <p>In addition to my initial request for reports, memos, etc. related to the investigations and final determination regarding the recent de-accreditation of Butte College's Law Enforcement Academy, I'd also like to request such documents for the previous three years. I understand that POST investigated complaints and irregularities related to Butte's LE Academy going as far back as the 2016-2017 academic year.</p>	04/19/19	C	CPRA
Nashelly Chavez, Reporter, Santa Rosa Press Democrat Nashelly.Chavez@pressdemocrat.com	My name is Nashelly Chavez and I'm a reporter for the Press Democrat. I'm reaching out because I'm hoping to get complete work history for Garrett Paulson, a Correctional Deputy I at the Sonoma County Sheriff's Office until approximately August 2017.	04/11/19	C	CPRA
Aaron Mendelson, Data Reporter Southern California Public Radio (626) 583-5242	I am getting in touch to see if you have provided the records in connection with the KQED CPRA mentioned in your release .	03/29/19	C	CPRA
Jeff Ernsthausen, Data Reporter Propublica (917) 244-4460	I'm writing to request a copy of the data and/or documents released to KQED on March 25, 2019, described in this press release: https://post.ca.gov/Portals/0/post_docs/Press_Release/20190226_Request_KQED.pdf	03/29/19	C	CPRA

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Tony Saavedra, Legal Affairs Writer The Orange County Register (714) 796-6930 Tsaavedra@scng.com	POST database listing police officers and their places of employment. (The same one POST recently gave to KQED.)	03/29/19	C	CPRA
Ben Poston, Staff Writer Los Angeles Times o 213-237-2205 m 213-221-9425 ben.poston@latimes.com	<p>Specifically, I am requesting data that show each law enforcement agency's hiring and termination of peace officers in California since 1995, including the following fields for each officer:</p> <p>POST ID Number, as referenced in Section 1, Question 1 of the "POST Notice of Appointment/Termination." If POST does not have a POST ID Number assigned to any particular officer, POST should – as it has for previous requests made by the Los Angeles Times – replace that officer's Social Security Number with a single unique identifier and disclose that unique identifier (so that every officer has either a POST ID or a single unique identifier – but not both – assigned to him/her throughout the database)</p> <p>Name, as referenced in Question 2 of the POST Notice Of Appointment/Termination</p> <p>Department name, as referenced in Question 8 of the POST Notice of Appointment/Termination</p> <p>Department code</p> <p>Department status (whether active or inactive)</p> <p>Race/ethnicity, as referenced in Question 6 of the POST Notice Of Appointment/Termination (Not to be released)</p> <p>Appointment date, as referenced in Question 9 of the POST Notice of Appointment/Termination</p> <p>Appointment Status, as referenced in Question 11 of the POST Notice of Appointment/Termination</p> <p>Termination date, as referenced in Question 15 of the POST Notice of Appointment/Termination</p>	02/27/19	C	CPRA

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	I am requesting that the data be provided in a tab delimited plain text file(s). Please use – and modify accordingly – the same code previously written when the commission provided the same type of data to the Times to fulfill previous data requests, one of which is attached.			
Ben Poston, Staff Writer Los Angeles Times o 213-237-2205 m 213-221-9425 ben.poston@latimes.com	POST profile of: Ryan Oscar Bernal, POST ID C07-S84 Specifically, all employment information releasable under PRA. South Pasadena PD, left in July 2017.	03/14/19	C	CPRA
Marianne Aleck 309 Southern Hills Dr. Rio Vista, CA 94571 (530) 403-6963 mariannealeck@gmail.com	Any correspondence through email, U.S. Postal Service Mail, Certified Letter(s) or any other form of communication between the Commission on Peace Officer Standards and Training and the Rio Vista Police Department and City of Rio Vista. I request that this request for correspondence be extended to communication between POST and any of the employees of the aforementioned city to include City Manager Rob Hickey, Police Chief Dan Dailey, Commander Paul Tassone, and all other employees of said city. Specifically, I am seeking any of the above forms of correspondence relating to the Field Training Program, and any notices of investigation/audit/non-compliance with POST rules and the California Code of Regulations relating to Field Training of employees. I am also requesting any notices of audits, violations, or findings regarding the Rio Vista Police Department. The time-period for which I am seeking this information is April 2017 through current date.	03/12/19	C	CPRA

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<p>Lupe M. Gamboa, J.D. Law Clerk to Eric P. Oren Phone: (559) 224-5900 (Fresno) Phone: (661) 401-7621 (Bakersfield) Fax: (559) 224-5905 Email: lg@ericorenlaw.com</p>	<p>all requests made by The State Center Regional Training Facility (SCRTF) at Fresno City College or on behalf of The State Center Regional Training Facility (SCRTF) at Fresno City College for POST approval of changes in class schedules or personnel related to the night Academy between 2/1/17 and 2/1/19. This request includes any communications with Director, Gary Fief, and Jim Edison, Coordinator, regarding requests made to The Commission on Peace Officer Standards and Training (POST) for approval of changes made to the night academy schedules, classes, instructors, and personnel working at the night academy.</p>	<p>03/13/19</p>	<p>C</p>	<p>CPRA</p>
<p>Thomas Peele, Investigative Reporter Bay Area News Group 510-208-6458 Direct tpeele@bayareanewsgroup.com</p>	<p>All lists, spreadsheets, and documents in the possession of the California Peace Officer and Training Commission (POST) showing California peace officers convicted of crimes as of March 8, 2019</p> <p>Or, if it is easier, please provide list of officers described above released under the Public Records Act earlier this year to journalist Robert Lewis of Investigative Studios in Berkeley, CA.</p> <p>*No docs sent - Confidential</p>	<p>03/08/19</p>	<p>C</p>	<p>CPRA</p>
<p>Walter Blohm (530) 908-2724 - cell walterblohmrealtor@gmail.com</p>	<p>EDI profile of: Kristofor Brandon Vessels</p> <p>Detailed course description, to include a listing of all LD components specific of the "Interview and Interrogation Techniques" curriculum (or name derivation thereof) taught to Mr. Vessels in his POST training program.</p> <p>Please also include a listing of all publications and supplemental literature, adopted and prescribed by POST at the time of Mr. Vessels' course of instruction, specific to the "Interview and Interrogation Techniques" component of the basic police academy, as should have been taught to Mr. Vessels at the time of his instruction in this course.</p>	<p>3/4/2019</p>	<p>C</p>	<p>CPRA</p>

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Camille Fassett, Reporter Freedom of the Press Foundation camillefassett@gmail.com	<p>1. A copy of the record produced by the agency to reporters Jason Paladino and Robert Lewis containing a list of California law enforcement officers convicted of crimes. Please exclude juvenile records from this item of my request. Context: https://www.eastbaytimes.com/2019/02/26/california-keeps-a-secret-list-of-criminal-cops-but-says-you-cant-have-it/ *No docs sent - Confidential</p> <p>2. Processing notes and internal communications — including but not limited to emails — regarding the CPRA request referred to in item 1.</p> <p>3. All communications between yourself and the Office of the Attorney General of California, Xavier Becerra, regarding this list.</p> <p>4. All emails in your own email jurisdiction (Jennifer.Van@post.ca.gov; Natalie.Clark@post.ca.gov) that contain any of the following phrases: "Jason Paladino", "Robert Lewis", "Berkeley IRP", "SB 1421", "SB1421," "AB 748," AB748", "Snyder".</p>	2/27/2019	C	CPRA
Jennifer Wadsworth, News Editor Metro News 408.515.7611 jenniferw@metronews.com	<p>list of officers who currently work in Santa Clara County from the felony indicator database released to Investigative Reporters at UC Berkeley</p> <p>*No docs sent - Confidential</p>	2/26/2019	C	CPRA